

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	WALTER E. ALEXANDER, II and	:	CHAPTER 13
	MELANIE M. ALEXANDER	:	
	Debtor(s)	:	
		:	
	CHARLES J. DEHART, III	:	
	STANDING CHAPTER 13 TRUSTEE	:	
	Movant	:	
		:	
	vs.	:	
		:	
	WALTER E. ALEXANDER, II and	:	
	MELANIE M. ALEXANDER	:	
	Respondent(s)	:	CASE NO. 1-20-bk-02507

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 3rd day of December, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Retirement loan (verification) – Line 41.
- b. Plan payment calculation sum of Lines 34, 35, 36 45.

2. Debtor(s) have failed to file a Chapter 13 Means Test (Form 122C) as required.
3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. Insufficient Monthly Net Income as indicated on Schedules I and J.
4. The Trustee provides notice to the Court as to the ineffectiveness of debtor(s) Chapter 13 Plan for the following reasons:
 - a. Clarification of debtor(s) counsel fees which are in conflict with 2016(b) Statement.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 7th day of December, 2020, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Leah Stump, Esquire
3115 North Front Street
Harrisburg, PA 17110

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee2